

FEDERAL BUREAU OF INVESTIGATION

**REGULATORY INSPECTION REPORT
(18 USC 2257)**

OF

**Darkside Entertainment
14141 Covello St., #5B
Van Nuys, CA 91405**

Date of Re-Inspection: 04/09/2007

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REGULATORY INSPECTIONS REPORT

Report of: SSA Charles R. Joyner,
2257 Regulatory Inspections Program, Crimes Against Children Unit,
Violent Crimes Section, Criminal Investigative Division

Report Date: April 30, 2007

File Number: (F) Darkside2

PRODUCER INFORMATION

A re-inspection was conducted of Darkside Entertainment pursuant to 18 USC 2257 and 28 Code of Federal Regulations Part 75. The re-inspection was conducted at Darkside Entertainment on 04/09/2007, at 14141 Covello St., #5B, Van Nuys, CA 91405. The initial inspection of Darkside Entertainment was conducted on 09/12/2006. Several violations remained unresolved from the first inspection, creating a need for the re-inspection. [REDACTED] manager of Darkside Entertainment, phone number (818)778-6537, granted access and was present during the inspection.

INSPECTION SUMMARY

DVDs produced by Darkside Entertainment were ordered from the internet. Contract inspectors reviewed four DVDs in addition to the nine DVDs from the first inspection and identified all performers by stage name or by still photographs taken from the video. All videos reviewed contained the required 2257 information in the proper format. A total of 37 performers were identified as appearing in the four DVDs, and 78 performers were previously identified as appearing in the nine DVDs from the first inspection. Prior to the inspection, contract inspectors printed several still photographs of each performer's face from different camera angles. During the inspection, the still photographs were compared with the performer identification on record to ensure the identification was, in fact, of that performer.

After the re-inspection on April 9, 2007, it was determined Darkside Entertainment had 2257 violations, including identical violations from the first inspection. Violations that remained unresolved from the first inspection on 09/12/2006 included no 2257 records were available for the movie "Around the Way Girls," the photo identification of [REDACTED] (P-1) [REDACTED] was not identifiable, and performer names were not cross-referenced. No new violations were discovered from the additional four DVDs reviewed. Details of the violations are listed in the findings section of this report. Copies of available pertinent records were made by the inspection team.

During this inspection, all provisions of 18 USC 2257 guidelines were followed by the inspection team.

FINDINGS

Unresolved Violations from Initial Inspection upon Initiating Re-Inspection

1. 2257 information for "Around the Way Girls" was not maintained at the Darkside Entertainment place of business.

2257 (c) - "Any person to whom subsection (a) applies shall maintain the records required by this section at his business premises..."

28 CFR Part 75.4 - "Any producer required by this part to maintain records shall make such records available at the producer's place of business."

2. For the movie, "In the Thick #4," the photo identification for [REDACTED] (P-1) stage name [REDACTED] (P-1) was not identifiable.

28 CFR Part 75.2 - "...the records shall also include a legible copy of the identification document examined and, if that document does not contain a recent and recognizable picture of the performer, a legible copy of a picture identification card."

3. Records were not properly cross-referenced.

28 CFR Part 75.3 - "Records required to be maintained under this part shall be categorized and retrievable to: All name(s) of each performer, including any alias, maiden name, nickname, stage name or professional name of the performer; and including the title, number, or other similar identifier..."

"Only one copy of each picture of a performer's picture identification card and identification document must be kept as long as each copy is categorized and retrievable according to any name, real or assumed, used by each performer, and according to any title or other identifier of the matter."

28 CFR 75.2(a)(3) - Records are to be organized alphabetically and cross-referenced to each alias or other name used and to each title.

New Findings

None

Producer Response to Findings:

1. Photo identification records for all performers appearing in "Around the Way Girls" were provided. However, photo identification for [REDACTED] (P-1) [REDACTED] (P-1) [REDACTED] (P-1) are not identifiable.
2. A recognizable photo identification of [REDACTED] (P-1) was provided.
3. None. No attempt has been made to create a cross reference system.

PRE-INSPECTION PROCEDURES

The following Pre-Inspection Procedures were followed:

1. Darkside Entertainment was selected for re-inspection at the request of the Los Angeles United States Attorney's Office (USAO). The USAO requested Darkside Entertainment be re-inspected because violations remained unresolved from the initial inspection.
2. A sample of Darkside Entertainment DVDs was ordered and the method of purchase was documented and maintained in a 1A envelope with the case file.
3. All products ordered were reviewed for 18 USC 2257 compliance and a pre-inspection analysis was conducted for each of the DVDs ordered.
4. All performers depicted in the videos engaging in sexually explicit conduct were identified by either a stage name or by still photographs of their likeness taken from the video.

INSPECTION PROCEDURES

The following Inspection Procedures were followed:

1. Inspection began at approximately 9:30 a.m. during regular business hours.
2. SSA Charles Joyner, the Lead Inspector, immediately identified himself and the purpose of the inspection upon entering Darkside Entertainment.
3. SSA Joyner explained the nature and purpose of the inspection, including the limited nature of the records inspection.
4. SSA Joyner provided the manager of Darkside Entertainment with a letter advising Darkside Entertainment they could be re-inspected at any time if violations are discovered. The manager also confirmed he had received a letter by Federal Express advising the company they were subject to re-inspection at any time.
5. Digital photographs were taken of the business and the room used to store 2257 information prior to the inspection.
6. Inspectors reviewed the 18 USC 2257 records maintained by Darkside Entertainment for the thirteen videos reviewed (nine on the initial inspection and four on the re-inspection), to include the performers appearing therein.

7. Copies were made of the selected performers' identifications indicating date of birth.
8. The inspection concluded at approximately 11:30 a.m.
9. Digital photographs were taken of the room used to store 2257 information prior to the inspectors departing the place of business.

RECORDS VERIFICATION SPREADSHEET

(Darkside Re-inspection of 04/09/2007)

130-131

(P-1)

SUBJECT TO PROTECTIVE ORDER

FBI-001745

RECORDS VERIFICATION SPREADSHEET

(Darkside Inspection of 09/12/2006)

PHOTO LOG/PHOTOS

CAMERA Color 71
 FILM : ASA Digital
 ROLL No. _____

LENS - Normal - N
 Wide - W
 Macro - M
 Tele. - T

LIGHT - Available - R
 Elec. Strobe - E
 Flashbulb - F

Photo Log Sketch

Photo No.	Lens	Light	SS	f - stop	Description	Photo Log Sketch	REMARKS
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SUBJECT TO PROTECTIVE ORDER

FBI_001760

INSPECTION COMPLIANCE DETERMINATION

Darkside Entertainment was found **NOT** to be in compliance with 18 USC 2257 and 28 CFR 75.